



600 Third Avenue, 42nd Floor, New York, NY 10016 • (212) 684-0199

July 1, 2020

Darnell S. Stanislaus
212.413.2862
212-504-2704 Fax
dstanislaus@polsinelli.com

VIA ECF and E-MAIL

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2201
New York, New York 10007
EngelmayerNYSDChambers@nysd.uscourts.gov

Re: *Dale Carnegie & Associates, Inc. v. The Sullivan University System, Inc., and Glenn Sullivan, Case No. 1:20-cv-02051-PAE:*
Notice of Settlement and Motion for Stay of Case Pending Performance of Requirements in Settlement Agreement

Dear Judge Engelmayer:

This firm represents Plaintiff Dale Carnegie & Associates, Inc. (“Plaintiff”) in the above-referenced matter against Defendants The Sullivan University System, Inc. and Glenn Sullivan (“Defendants” and, collectively with Plaintiff, the “Parties”). The Parties have reached a settlement and, effective June 25, 2020, signed a full settlement and release agreement. Pursuant to Federal Rule of Civil Procedure 6(b), Local Rule 7.1(d) and your honor’s Individual Rules and Practices in Civil Cases 1.A. and 1.E., the Parties request that the Court stay all deadlines in this case for a period of 95 days to permit Defendants to complete performance of their obligations under the signed settlement agreement. In support of this letter Motion:

1. Plaintiff commenced this action by filing the Complaint on March 6, 2020. (EFC No. 1.)
2. By agreement, Defendants agreed to waive and accept service and Plaintiff agreed to extend the response date such that the response to the Complaint would not be due for 60 days from service, which the clerk calendared on the docket for June 29, 2020. (See EFC No. 5.)
3. Effective June 25, 2020, the Parties reached a final settlement and signed a confidential Settlement, Release, and Termination Confirmation Agreement (the “Settlement Agreement”).

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4. A material term of the Settlement Agreement is that the Parties agreed to seek dismissal of this action upon performance of certain obligations in the Settlement Agreement, which must be completed on or before September 25, 2020.

5. The Parties intend to seek dismissal of this action promptly upon completion of this requirement.

6. Counsel for Defendants has not yet filed an appearance in this action; however, counsel for Plaintiff has conferred with counsel for Defendants, and both counsel mutually agreed that Plaintiff would move the Court for the relief requested herein.

7. No prior extension or adjournment of deadlines has been requested.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order staying all deadlines in this case for a period of 95 days to permit the outstanding under the Settlement Agreement to be performed and the notice of dismissal to be filed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darnell S. Stanislaus', written over a horizontal line.

Darnell S. Stanislaus

DSS:rjc

cc: Gabriel Levinson, Esq. (counsel for Plaintiff)
Len H. MacPhee, Esq. (counsel for Plaintiff)
Grover C. Potts, Jr., Esq. (counsel for Defendants)

7/2/2020

Granted. The Court stays all dates and deadlines in this case for 95 days. The Court directs the parties to file a joint status update on September 29, 2020, if a notice of dismissal has not yet been filed at that time.

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Paul A. Engelmayer', written over a horizontal line.
PAUL A. ENGELMAYER
United States District Judge